



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application) Primary Examiner: n/a
DECKER, D.) Group Art Unit: 2875
Serial No. 10/760,117) Atty Docket No.: 62077-00008
Filed: Jan. 15, 2004)
Title: Oil Lamp, Air Freshener)
And/or Fragrance Release)
Apparatus and Wick Therefor)
_____)

Express Mail Label Number: ER 392 345 958 US

I hereby certify that the listed correspondence below is being deposited with the U.S. Postal Service as EXPRESS MAIL, postage prepaid, under 37 CFR 1.10 in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Oct. 22, 2004.

By: 
David Hong (Reg. No. 45,804)

RESPONSE TO MISSING PARTS NOTICE DATED 4/22/2004

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

This is a response to the Notice to File Missing Parts of Nonprovisional Application, dated April 22, 2004. The following documents are respectfully submitted:

1. Response to Missing Parts Notice Dated 4/22/2004 (4 pages);
2. Notice to File Missing Parts of Nonprovisional Application, dated 4/22/04 (2 pages);
3. Declaration and Petition of Inventors DayNa Decker & Steven Dodson (2 pages);
4. Credit Card Payment Form PTO-2038 (1 page);
5. Fee Transmittal for FY 2005 (1 page);

6. Petition for Extension of Time (1 page) - \$765 Extension Fee is included in Credit Card Payment Form PTO 2038;
7. Revocation of Power of Attorney and New Power of Attorney (DayNa Decker & Steven Dodson) (2 pages);
8. Marked Up Drawing Pages for Fig. 9-26 (6 pages) & Replacement Drawing Pages for Fig. 9-26 (6 pages);
9. Return Postcard (1 page).

Amendment to the Drawings:

In response to the Notice to File Missing Parts (April 22, 2004), the applicant submits replacement sheets (6 pages) for Fig. 9-26. The applicant has removed stray marks and interlineations and replaced hand drawn reference numbers with typed reference numbers. Please also find marked-up drawing pages for Fig. 9-26 (6 pages), which show the changes to the drawings in red ink. No new matter has been added.

For Fig. 10, 11, 13, 14, 17, 18, 20, 21, 23, 24, and 26, there was an inadvertent line cutting across the length of the drawings, which has been removed without prejudice.

For Fig. 10, two reference lines have been removed without prejudice because no reference number was listed. Applicant respectfully reserves the right to place reference numbers on structures in the originally filed drawings if necessary.

For Fig. 14, the line of sight of orientation was listed with a crossed out "F" and a "15". The applicant has removed the

crossed out "F" and replaced with a typed "15" to indicate the line of reference for Fig. 15. No new matter has been added; see specification page 7, paragraphs 0042 and 0043.

For Fig. 17, the line of sight of orientation was listed with an "F" only on one portion. The applicant has removed the "F" and replaced with a typed reference number "18" to indicate the line of reference for Fig. 18; also, an arrow for the line of sight has been added. No new matter has been added; see specification page 8, paragraphs 0045 and 0046.

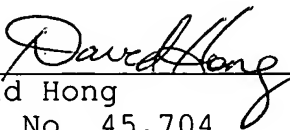
For Fig. 20, the line of sight of orientation was listed with a crossed out "F" and a "21". The applicant has removed the crossed out "F" and replaced with a typed "21" to indicate the line of reference for Fig. 21. No new matter has been added; see specification page 8, paragraphs 0048 and 0049.

For Fig. 23, the line of sight of orientation was listed with a crossed out "F" and a "23". The original drawing for Fig. 23 incorrectly showed a light of sight for "23" and should have been listed for "24." The antecedent basis for this amendment can be found at specification page 8, paragraphs 0051 and 0052. The applicant has removed the crossed out "F" and "23" and replaced with a typed "24" reference number to indicate the line of reference for Fig. 24. No new matter has been added.

Respectfully Submitted,

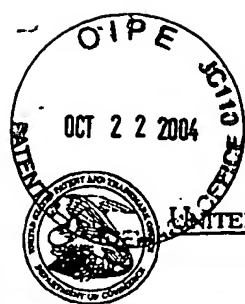
LAW OFFICE OF DAVID HONG
by

Dated: Oct. 22, 2004



David Hong
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Page 1 of 2

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/760,117	01/15/2004	DayNa M. Decker	62077-00008

CONFIRMATION NO. 7349

Douglas N. Larson
Squire, Sanders & Dempsey, L.L.P.
14th Floor
801 S. Figueroa Street
Los Angeles, CA 90017

FORMALITIES LETTER



OC000000012429105

Date Mailed: 04/22/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 10, 11, 13, 14, 17, 18, 20, 21, 23, 24, 26.

The applicant needs to satisfy supplemental fees problems indicated below.

10/26/2004 DEMMANU1 00000047 10760117

01 FC:2001	395.00 OP
02 FC:2201	88.00 OP
03 FC:2202	576.00 OP
04 FC:2051	65.00 OP

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1324 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.


SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$2224 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$1324
 - \$172 for 2 independent claims over 3.
 - \$1152 for 64 total claims over 20.

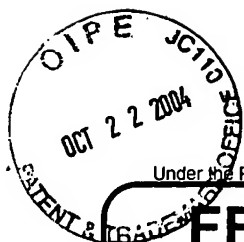
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*A copy of this notice **MUST** be returned with the reply.*


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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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PTO/SB/17 (10-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 1889.00

Complete if Known

Application Number	10/760,117
Filing Date	01/15/2004
First Named Inventor	DECKER
Examiner Name	
Art Unit	2875
Attorney Docket No.	62077-00008

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	395
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 395

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	84	-20** =	64	X	9	= 576
Independent Claims	6	-3** =	2	X	44	= 88
Multiple Dependent						= 664

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) 664

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	65
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	765
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 830

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	David Hong	Registration No. (Attorney/Agent)	45704	Telephone	8668248680
Signature		Date	Oct. 22, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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